

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

INCOME TAX APPEAL (LDG.) NO. 763 OF 2002

The Commissioner of Income Tax,
Mumbai.

... Appellant.

V/s.

M/s.Paragon Products.

... Respondent.

A.S. Rao for the appellant.

CORAM : V.C.DAGA AND J.P.DEVADHAR, JJ.

DATED : 17th July 2006.

P.C. :

. The learned counsel for the appellant
fairly stated that the question sought to be raised
in this appeal is squarely covered by the judgment of
this Court in the case of **Caddel Waving Mill**
Co.P.Ltd. v. C.I.T., (2001) 249 ITR 265 (Bom.).

He, therefore, seeks permission to withdraw this
appeal.

. Accordingly, appeal stands dismissed as
withdrawn with no order as to costs.

. Needless to mention that the appellant-
Revenue is entitled to refund of court fee as per
law.

(J.P.DEVADHAR, J.)

(V.C.DAGA J.)